DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"FLEXIBLE RESILIENT CLAMP DEVICE AND A CONTAINER COMPRISING THE FLEXIBLE RESILIENT CLAMP DEVICE"

Case No. <u>P03,0288</u>	, the specification of which	
(check one)	is attached hereto. was filed on Application Serial No and was amended on (if applicable)	
	ave reviewed and understand the contents led by any amendment referred to above.	of the above identified specification,
	ty to disclose to the United States Patent Centability of this application in accordance	
America before my or our inv before my or our invention the public use or on sale in the Ur believe that the invention has the date of this application in a me or my legal representatives application for patent or inven	not believe this invention was ever known ention thereof, or patented or described in ereof or more than one year prior to this an ited States of America more than one year not been patented or made the subject of a any country foreign to the United States of so or assigns more than twelve months prior itor's certificate on this invention has been or to this application by me or my legal reports.	any printed publication in any country oplication, that the same was not in r prior to this application, and I in inventor's certificate issued before f America on an application filed by it to this application, and that no in filed in any country foreign to the
	n priority benefits under Title 35, United Swentor's certificate listed below	tates Code, 119 of any foreign
Prior Foreign Applica Number 02015710.3	ition(s) Country Europe	Date July 12, 2002

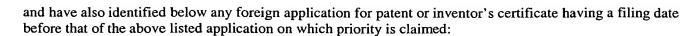
(2) It refutes, or is inconsistent with, a position the applicant takes in:
(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

⁽b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

⁽¹⁾ It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.



Prior Foreign Application(s)

Number C

Date

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number

7

Country

Date

And I hereby appoint all Attorneys Identified by United States Patent & Trademark Office Customer Number 26574, who are all members of the firm of Schiff Hardin and Waite.

Telephone 312/-258-5500 Patent Department

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff, Hardin & Waite
Atten: Patent Department
6600 Sears Tower, Chicago, Illinois 60606 -6473
Customer Number 26574

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	,	•	•					
	Full name of sole or fi	irst inventor	JOOST VAN BEF	RNE				
	Inventor's signature	7			Date	£		<u>_</u>
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	Citizenship	The Netherl	ands					
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		4817 HK Br	eda, The Netherlands					
	Full name of second je	oint inventor,						
	· ·	(if any)	DENNIS VERVO	ORN				
-/	Inventor's signature	10x1/len	2		Date	23 SEP	200	3
	Residence		The Netherlands					·
	Citizenship	The Netherl	ands					
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Case No. <u>P03,0288</u>	_, the specification of	of which
(check one)	Application Seri	o. , as al No d on
I hereby state that I h including the claims as amen		nderstand the contents of the above identified specification, ent referred to above.
		United States Patent Office all information which is known plication in accordance with Title 37, Code of Federal
America before my or our in- before my or our invention the public use or on sale in the U believe that the invention has the date of this application in me or my legal representative application for patent or invention	vention thereof, or postereof or more than of the distance of Ames not been patented of any country foreignes or assigns more that or country's certificate on	ention was ever known or used in the United States of atented or described in any printed publication in any country one year prior to this application, that the same was not in rica more than one year prior to this application, and I or made the subject of an inventor's certificate issued before to the United States of America on an application filed by an twelve months prior to this application, and that no this invention has been filed in any country foreign to the by me or my legal representatives or assigns, except as
I hereby claim foreig application(s) for patent or in		nder Title 35, United States Code, 119 of any foreign isted below
Prior Foreign Applic Number 02015710.3	ation(s) Country Europe	Date July 12, 2002
	ction, information is materia	I to patentability when it is not cumulative to information already of record or bein
made of record in the application, and (1) It establishes	, by itself or in combination	with other information, a prima facie case of unpatentability of a claim; or

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and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)
Number Country

Date

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number

Country

Date

And I hereby appoint all Attorneys Identified by United States Patent & Trademark Office Customer Number 26574, who are all members of the firm of Schiff Hardin and Waite.

Telephone 312/-258-5500 Patent Department

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